

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ABBOTT DIABETES CARE INC. )  
And ABBOTT LABORATORIES, )  
Plaintiff(s), )  
v. )  
ROCHE DIAGNOSTICS CORP., )  
ROCHE DIAGNOSTICS )  
OPERATIONS, INC., and BAYER )  
HEALTHCARD LLC, )  
Defendant(s). )  
\_\_\_\_\_ )

No. C05-3117 MJJ (BZ)

Related Cases: 04-2123 MJJ  
04-3327 MJJ  
04-3732 MJJ

**INITIAL DISCOVERY ORDER**

All discovery in this matter has been referred to United States Magistrate Judge Bernard Zimmerman.

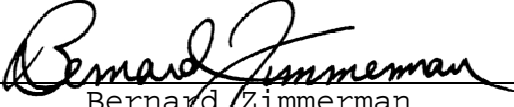
In the event a discovery dispute arises, the parties shall meet in person or, if counsel are outside the Bay Area, by telephone and make a good faith effort to resolve their dispute. Exchanging letters or telephone messages about the dispute is insufficient. The Court will not read subsequent positioning letters; parties shall instead make a contemporaneous record of their meeting using a tape recorder or a court reporter.

In the event they cannot resolve their dispute, the

1 parties must participate in a telephone conference with the  
2 Court **before** filing any discovery motions or other papers.  
3 The party seeking discovery shall request a conference in a  
4 letter served on all parties not exceeding two pages (with no  
5 attachments) which briefly explains the nature of the action  
6 and the issues in dispute. Other parties may reply in similar  
7 fashion within two days of receiving the letter requesting the  
8 conference. The Court will contact the parties to schedule  
9 the conference.

10 After the conference with the Court, if filing papers is  
11 deemed necessary, they should be filed **electronically** with the  
12 Clerk's Office, with **one hard copy delivered directly to**  
13 **Magistrate Judge Zimmerman's Chambers (Room 15-6688)**. A  
14 chambers copy of all briefs shall be submitted on a diskette  
15 formatted in WordPerfect 6, 8, 9, 10 or 13 or may be e-mailed  
16 to the following address: [bzpo@cand.uscourts.gov](mailto:bzpo@cand.uscourts.gov)

17 Dated: March 29, 2007

18   
19 \_\_\_\_\_  
20 Bernard Zimmerman  
United States Magistrate Judge

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